IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 23RD AUGUST 2007 / 1ST BHADRA 1929

Bail Appl..No. 5088 of 2007()

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CRIME NO.76/07 OF KARIKOTTAKARI POLICE STATION

: PETITIONER/IST ACCUSED

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SALU P.D., S/O.DEVASSIA, AGED 17 YEARS,
(WRONGLY SHOWN AS 18 BY THE IST RESPONDENT)
PAZHAYAMPALLIL HOUSE, PAYAM P.O., KANNUR
DISTRICT. REP. BY GUARDIAN DEVASSIA.

BY ADV. SRI.CIBI THOMAS

RESPONDENTS: COMPLAINANT & STATE

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1. THE SUB INSPECTOR OF POLICE,
KARIKOTTAKARI POLICE STATION.

2. STATE REP; BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**R.BASANT, J**

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**B.A.No.5088 of 2007**

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**Dated this the 23rd day of August, 2007**

**ORDER**

Application for regular bail. The petitioner faces allegations under Section 392 I.P.C. He is the 1st accused. The crux of the allegations against him is that he along with co-accused proceeded on a motorcycle and snatched away a gold chain worn by the defacto complainant on 28.07.07 on the public road. F.I. statement was lodged promptly. There was no clue about the offenders. But the number of the motorcycle was furnished to the police in the F.I statement. Within 2 days, the petitioner was arrested on 30.07.07. He was interrogated. The gold chain snatched was recovered on the basis of the confession statement of the petitioner. Investigation is in progress.

2. The learned counsel for the petitioner prays that the petitioner may now be enlarged on bail subject to appropriate conditions. He is a very young person aged about 18 years, it is submitted. It is not necessary for the purpose of investigation to insist on continued detention of the petitioner, it is submitted. The petitioner may in these circumstances be enlarged on bail, prays the learned counsel for the petitioner.

3. The learned Public Prosecutor opposes the application. The learned Public Prosecutor submits that there are no circumstances which would justify release of the petitioner on bail at this early stage of investigation. Investigators may be given reasonable further time to complete the investigation.

4. Having considered all the relevant circumstances, I am of the opinion that the petitioner is not entitled to be released on bail at this early stage of investigation. In coming to this conclusion I have taken note of the nature and gravity of the allegations, quantum and quality of the materials collected as also the stage of investigation.

5. This application for regular bail is, in these circumstances, dismissed, but with the observation that the petitioner shall be at liberty to move the learned Sessions Judge or this Court for bail again at a later stage of the investigation - not, at any rate, prior to 05.09.07. The investigators shall in the meantime make every endeavour to complete the investigation.

**(R.BASANT, JUDGE)**

rtr/-